

**Louisiana Local Coastal Programs
Periodic Review For
January 1, 2008 to June 30, 2010**

INTRODUCTION

The Interagency Affairs (IA) Program of the Office of Coastal Management (OCM) of the Louisiana Department of Natural Resources (LDNR) has conducted a periodic review of the ten Louisiana Parishes Local Coastal Programs (LCPs) for the time period of January 1, 2008 to June 30, 2010. A periodic review is required at least every two years by L.A.C. 43:I.725.F. This review includes an analysis of existing parish coastal zone management (CZM) ordinances and other coastal zone regulations, coastal use permitting procedures and processes, and other information pertinent to the approved parish programs. The purpose of the periodic review process is three fold: 1) to ensure that the local program remains consistent with the federally approved state program, 2) to ensure that the local program is operating in such a manner as to achieve the objectives spelled out in the Parish LCP document, and 3) to help the State and the Parish to further improve in their mission to prudently manage the state's and parishes' coastal resources. The state and federally approved Louisiana Coastal Resources Programs has ten state and federally approved Parish Local Coastal Management Programs: Calcasieu, Cameron, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. James, St. Tammany and Terrebonne.

REVIEW METHODOLOGY

The periodic review process for each LCP consisted of the following components:

- OCM and the parishes audited several items for each parish: previous periodic review findings; contract files and deliverables for each individual parish program; data base queries of local concern applications for each parish to ascertain parish determination decisions, types and extent of various habitat impacts, and the appropriate mitigation assessments; samples of the individual parishes' permit files; possible enforcement or after-the-fact permits; parish ordinances and protocols; and any other changes/improvements implemented during the 2008/2010 review period.
- IA staff inquired of other OCM staff as to whether or not any issues regarding the LCPs needed to be addressed.
- IA staff had numerous discussions with all 10 Parish Coastal Administrators.
- Public notices announcing the meetings were placed in the state and parish journals, placed on the LDNR web page and mailed in the OCM joint public notice (JPN) mail out. The meetings were held in all of the parishes where IA

presented the finding of the parish audits and asked questions of the LCP personnel.

- IA requested that each LCP submit a report prior to the review date detailing program administration, permitting issues, program and contract documentation, interagency coordination, and if the parish had any requests or comments to the state program. Questions specific to each parish, based on previous reviews and the reviews of files and comments, were also developed. These questions provided the state and the parishes an opportunity to identify issues that are problematic. In addition, these questions provided an opportunity for the reviewers to commend the parishes on areas in which their parish program excelled.

The findings of the periodic reviews will be forwarded to the LCPs. In addition, they will be forwarded to NOAA as part of OCM's regular reporting process.

GENERAL DISCUSSION

All parish programs were found to be consistent with the state program and its program document. The parish coastal program personnel are motivated professionals who appreciate their Local Coastal Programs' regulatory authority, as well as, the expanded opportunity for additional local input into state and federal coastal management and restoration affairs. St. Bernard was asked to be more timely and consistent in its submission of contract deliverables and to avail itself of additional training with OCM local coastal program staff.

Mitigation issues have remained a high priority. The parishes, often with state program assistance, performed assessment and calculation of mitigation for habitat impacts as well as the documentation necessary for the state to remain in compliance with the Louisiana Coastal Wetlands Conservation Plan. The parishes continue to be very receptive toward instruction in mitigation assessments.

This review period there were some issues with many of the parishes in obtaining the proper parish authorization signatures on contract paperwork and returning the contract paperwork to OCM in a timely manner. OCM impressed upon all the parishes the importance of following through with the proper coordination and oversight of contract paper work that requires signatures from parish officials in other parish offices.

Topics that were discussed with every parish program include: parish program enforceable policies, parish permit review processes and protocols, parish coordination with other local, state and federal government agencies, intra-parish permit application coordination, coastal resiliency and the Coastal and Estuarine Land Conservation Program (CELCP).

GENERAL FINDINGS

- The parishes were found to be consistent with and effective in achieving the objectives of the state and the local programs. One program was determined to need additional coordination with OCM in order to ensure effectiveness and consistency in achieving the objectives of the state and the local programs.
- The parish programs follow the state enforceable policies and their parish documents when processing local concern permits.
- The parish programs are assessing appropriate mitigation. Interagency Affairs staff often assists in the assessments.
- The parish programs all have effective and consistent mitigation, appeals and enforcement ordinances.
- The parish programs continue to improve their violation and monitoring protocols.
- The parish programs are continuing to improve on their permitting protocols such as withdrawal of applications and placing applications on hold for more information.

The 10 parish reviews are attached. Specific requests of the parish and action items stipulated by OCM are spelled out in each report.

Calcasieu Parish Review

The Calcasieu Parish periodic review meeting was held October 5, 2010 in Lake Charles, Louisiana. Representing Calcasieu Parish were Ms. Pam Mattingly, Assistant Director of the Division of Planning and Development, and the Calcasieu CZM Administrator, Ms. Laurie Cormier.

Action Items from Previous Periodic Review 2005/2007

OCM had no action items from the previous periodic review period. OCM congratulated Calcasieu on running an excellent Local Coastal Program. The 2005/2007 periodic review could not identify one single program deficiency and pointed out many areas where the Calcasieu program excelled.

Parish Requests

Calcasieu asked if OCM would be willing to send copies of the states' permit issued and received report public notice. This example has been sent.

Program Administration

The operation of the Calcasieu LCP during the 2008/2010 review period was consistent with and effective in achieving its program objectives. Calcasieu Parish is running an excellent local coastal program.

The LCP is administered through the Parish Planning Office. Ms. Mattingly has delegated the administrative duties of the program to Ms. Laurie Cormier. Calcasieu has a very small coastal zone area and LCP activities comprise only about 10% of the administrator's duties. The LCP Advisory Committee consists of the Planning and Zoning Board, which meets once a month to discuss coastal issues. The administrator works closely with the board to provide guidance. Ms. Mattingly and Ms. Cormier have done an excellent job and are in full compliance with all contract deliverables and local coastal program requirements.

Program Processes and Permit Issues

The Calcasieu LCP was consistent and effective in achieving its program objectives. The parish does use the program document and the guidelines when making permit decisions. Calcasieu effectively assigns mitigation for wetland habitat impacts when applicable. Calcasieu did not promulgate any new coastal ordinances this review period. Calcasieu assessed impacts and assigned the appropriate mitigation for one authorization this report period.

Local coastal use permit review is performed by the planning and development office. The Calcasieu LCP has found there to be no problem areas since the last periodic review.

The process for monitoring permit activity is done thorough site inspections. Calcasieu inspects and enforces all permit conditions. Enforcement awareness is by complaint and field investigation. Calcasieu sends in comments on state concerns when appropriate and feels that the state adequately considers the parish comments. Calcasieu Parish's permitting protocols and decisions are consistent with the state program and its programmatic document. Calcasieu Parish follows proper public notice procedures and has adequate on-hold procedures in place. Calcasieu Parish had no violations or enforcement issues this review period.

Documentation

Calcasieu Parish has submitted all permit documentation, conservation plan reporting and contract deliverables in a timely manner.

Quarterly Meetings

Calcasieu Parish has been represented at all quarterly meetings. Ms. Cormier is very active in the program as evidenced by her attendance at the quarterly meetings, various training programs and workshops offered by IA.

Permit Decisions

Calcasieu Parish's permit decisions have been consistent with the state program and its programmatic document. Calcasieu Parish is following the coastal use guidelines and the Calcasieu document when permitting applications for activities in the parish. Calcasieu is running a commendable program.

Cameron Parish Review

The Cameron Parish review was held on October 5, 2010 in Cameron, Louisiana. Parish personnel present were Ms. Tina Horn, Cameron Parish Administrator; Mr. Myles Hebert, Coastal Management Administrator; and Ms. Kara Bonsall, Parish Administrative Assistant.

Action Items From Previous Periodic Review 2005/2007

For the 2005/2007 periodic review it was recommended that the parish should develop a formal application withdrawal process. Cameron still does not have a well defined application withdrawal process.

Action Item: Cameron should develop and send formal application withdrawal letters to applicants.

The parish now has a formal application withdrawal process which consists of sending letters to the applicant and to OCM.

Parish Requests

Cameron parish did not have any requests of OCM at the review meeting.

Program Administration

The operation of the Cameron LCP during the 2008/2010 review period was consistent with and effective in achieving its program objectives.

Mr. Hebert is the program administrator. He performs the administrative functions of the Coastal Program in addition to other parish permitting duties. Mr. Hebert conducts field investigations, assigns and assesses mitigation requirements, helps applicants fill out permit applications, attends meetings, workshops, and seminars, and makes the initial permit determination. Ms. Bonsall performs some technical and all of the clerical duties of the program. She initially receives the application, prepares the public notices, sends applications to the coastal zone committee, prepares the permitting letters and other correspondence, coordinates with other federal, state, and local agencies and prepares the reports and other contract deliverables and fills out the code sheets.

The parish's coastal zone committee consists of the members of the six drainage districts, the water management board and the police jury. The committee receives copies of all applications. The police jury reviews the application and the other committee members send any pertinent findings back to the LCP.

Program Processes and Permit Issues

Cameron Parish has sufficient mitigation, appeals and enforcement ordinances. This review period Cameron noted that their permit term change, from last review period from one year to five years, has been very helpful. The parish uses their program document and the state guidelines when making permit decisions. Field investigations are done on most if not all permit applications. The parish has excellent communication with other state and federal agencies and has no complaints about the state programs assistance. Cameron assessed impacts and assigned one growing season mitigation conditions for three authorizations this report period. Cameron Parish has developed commencement cards to begin the monitoring of one season growing conditions. In addition to the cards the parish is implementing a calendar notification system. Cameron Parish conditions its construction permits with BMPs to help alleviate nonpoint source pollution. Cameron is following proper on-hold and public notice procedures. State master plan coordination is satisfactory.

The state is working with Cameron Parish to resolve any pending enforcement issues should they arise. One enforcement issue is waiting on the local program to identify appropriate mitigation requirements if any. When the parish is made aware of these potential violations it determines a course of action to take that leads to a resolution.

Cameron Parish and the State Program have coastal resource concerns about the permitting of sand mining activities on the parish's coastal Chenier ridges. The state and the parish are concerned that the cumulative and secondary impacts of the continued mining of these ridges will destroy Cameron's first line of defense against storm surges and tidal erosion. The state will continue to assist the parish in this endeavor. The state sent a letter to the parish administrator last review period stating that the mining of Chenier ridges is not consistent with local, state and federal coastal restoration activities. The state contracted a study to document cumulative and secondary impacts of permitting these activities. This review period the parish has denied permits to individuals attempting to conduct those sand mining operations. The state is continuing to investigate strategies to help the parish with management of Chenier ridges.

Documentation

Cameron Parish has submitted all permit documentation, conservation plan reporting and contract deliverables in a timely manner.

Quarterly Meetings

Cameron Parish has been represented at all quarterly meetings. Mr. Hebert is very active in the program, as evidenced by his attendance at the quarterly meetings, various training programs and workshops offered by IA.

Permit Decisions

Cameron Parish's permit decisions have been consistent with the state program and its programmatic document. Cameron Parish is using the coastal use guidelines and the Cameron document when permitting applications for activities in the parish. Cameron is running a commendable program.

Jefferson Parish Review

The Jefferson Parish review was held on November 4, 2010 in Marrero Louisiana. Mr. Jason Smith, Coastal Programs Supervisor, Department of Environmental Affairs, and Mr. John Uhl, Coastal Program Administrator, represented the parish.

Action Items From Previous Periodic Review 2005/2007

OCM had no action items from the previous periodic review period. OCM congratulated Jefferson on running an excellent Local Coastal Program. The 2005/2007 periodic review could not identify one single program deficiency and pointed out many areas where the Jefferson Program excelled.

Parish Requests

Jefferson Parish feels that the state program could better address the parish programs objections on state concern applications. In addition, Jefferson Parish prefers bucket dredging over prop-washing if the environment is suitable, feels that the state should require beneficial use of dredged material more often and believes that oil and gas activities should be limited to open water as much as possible.

Jefferson Parish further states that the OCM should revise current state mitigation regulations. Stringent regulations, funding, risk, knowledge and the unavailability of land suitable to create and/or enhance wetland habitat prevent applicants from implementing individual mitigation projects in Jefferson Parish. If suitable lands for wetland creation and/or enhancement were available, the applicants would be responsible for developing mitigation credits and maintaining these lands for 50 years for forested wetland habitat and 20 years for marsh habitat. Many of the applicants are on a shoestring budget and do not have the funds and/or resources to develop their own mitigation projects. Current mitigation regulations do not reflect the true costs and are neither practical nor flexible. For example, the "Act of God" condition written in the state coastal program requires landowners to reestablish any wetland mitigation areas that have sustained damage from storm events. Take into consideration that the landowners are required to maintain these lands for 50 years for forested wetlands and 20 years for marsh. This makes it extremely risky for anyone to take this venture. Who can afford to rebuild after every large storm event e.g. Hurricanes: Katrina, Rita, Gustav, and Ike.

The OCM local program staff has brought this to the OCM administration's attention.

Program Administration

Jefferson's LCP is a very good program. The operation of the Jefferson LCP during the 2008/2010 review period was consistent with and effective in achieving its program objectives. On one invoice during the 2009 -2010 year the parish paid money to a subcontractor which exceeded state travel regulations. The parish was notified and this

amount was not paid to the parish. In addition, there was some trouble getting an amendment for the contract back from the parish in a timely manner. Although OCM received the amendment in time, the parish was notified of the importance of returning contract paperwork timely.

The LCP is implemented by the Coastal Programs Supervisor (CPS), Mr. Jason Smith. The Coastal Programs Administrator, Mr. John Uhl, is appointed annually by the Parish Council and supervises the CPS.

The CPS is responsible for assisting permit applicants through the permitting process, conducting field investigations, attending geologic review meetings, and preparing all the necessary paperwork. The Administrator's responsibilities include making the final permit decision and reviewing the work and progress of the Coastal Programs Supervisor.

Jefferson Parish does not have a CZM Committee. However, acting in an advisory capacity, both the Director of the Department of Environmental Affairs and Coastal Programs Supervisor make recommendations which are provided in a comment and recommendation report that is submitted to the Administrator for final review for all local and state permit applications.

Program Processes and Permit Issues

The program processes of the Jefferson LCP during the 2008/2010 review period were consistent with and effective in achieving its program objectives. The parish has excellent violation, enforcement and monitoring protocols.

The parish does not anticipate requesting any changes to either the state or local programs at this time. The parish program has excellent communication with other federal and state resource agencies and conducts field investigations on an as-needed basis. Jefferson Parish has excellent violation and enforcement protocols in place, and also has effective procedures for placing an application on hold. Jefferson assessed impacts and assigned the appropriate mitigation for one authorization this report period. State Master Plan coordination is also satisfactory.

Jefferson Parish has excellent intra-parish permit application requirement coordination and has taken the initiative to prevent permit applicants from beginning projects prior to obtaining a Coastal Use Permit. With the assistance of the Jefferson Parish Department of Inspection and Code Enforcement, a person cannot obtain a building permit prior to obtaining the proper permits from the Corps and the LCP. The Code Enforcement Department provides a checklist of names and agencies for the applicant to contact, which insures that the individual obtains all of the proper permits. This procedure has significantly reduced the number of enforcement actions, therefore reducing the number of permits issued after the fact. The LCP performs the equivalent function regarding the other parish agencies by informing applicants of the other agencies' permit requirements.

The state works with the parish to resolve any pending enforcement issues should they arise. Two enforcement issues are waiting on the local program to identifying appropriate mitigation requirements if any. When the parish is made aware of these potential violations it determines a course of action to take that leads to a resolution.

Jefferson's permit protocols and decisions have been consistent with the state program and its programmatic document. Jefferson Parish publishes all coastal use permit applications in the parish journal for at least 30 days. The parish also publishes all permit decisions.

Documentation

Jefferson Parish is usually prompt in forwarding documentation, invoicing, etc. and providing contract deliverables required of the local program by OCM in a timely manner. However this period there were some problems with the timeliness of invoices and reports. Other deliverables were all satisfactory. Mr. Smith conducts meeting with applicants to discuss minimization of impacts and justification and needs analysis. He documents this information on the code sheets.

Quarterly Meetings

Mr. Smith attends all meetings and training provided by Interagency Affairs and OCM, as well as other additional related training and meetings relevant to the CZM and the parish environmental departments.

Permit Decisions

Jefferson Parish's permit decisions have been consistent with the state program and its programmatic document. Jefferson Parish is following the coastal use guidelines and the Jefferson document when permitting applications for activities in the parish. Jefferson is running a commendable program.

Lafourche Parish Review

The Lafourche Parish review was held on October 27, 2010 in Cut Off, Louisiana. Mr. Nicholas Matherne, Lafourche Parish Director of Coastal Zone, Energy and Environment represented the parish.

Action Items From Previous Periodic Review 2005/2007

OCM had no action items from the previous periodic review period. OCM congratulated Lafourche on running an excellent Local Coastal Program. The 2005/2007 periodic review could not identify one single program deficiency and pointed out many areas where the Lafourche Program excelled.

Parish Requests

Lafourche Parish has requested that the state develop cartographic resources to help delineate fast-lands in the Louisiana Coastal Zone. OCM is pursuing this as part of our 2011 – 2015, Section 309 strategy. Lafourche parish requested a presentation by the OCM field investigators on permit compliance inspections. OCM will have such a presentation at a quarterly meeting soon. Lafourche Parish inquired as to the possibility of funds being made available for updated parish documents/EMUs that might be needed as a result of the revised coastal zone boundary study implementation. We have brought this comment to the OCM administrators' attention.

Mr. Matherne states that the parish program is generally satisfied with state assistance; however, he would like to see the state take a more proactive approach in monitoring beneficial use of dredged material permit compliance. He stated that he would like the state to always respond timely to requests for information on state concern permits. Mr. Matherne also believes that the National Marine Fisheries Services' essential fish habitat commenting authority is counterproductive to coastal restoration and management.

Program Administration

The Lafourche LCP is consistent with and effective in achieving the objectives of the state program and its own LCP document as state and federally approved. Mr. Matherne has been doing an excellent job running a parish CZM program.

The parish LCP is implemented through the Parish Department of Coastal Zone, Energy and Environment. Mr. Matherne, the director, is responsible for all of the duties of the parish program. He is assisted by one clerical worker, Ms. Julia Mayet. The parish has an advisory committee; the advisory committee comments on both state and local concern applications.

Program Processes and Permit Issues

Field investigations are conducted on all local permit applications as well as those state concern permits applications that are of concern to the parish. Lafourche works with the state field investigator and/or OCM local program staff when there are issues of permit compliance on state or local permits. The Lafourche LCP follows the proper procedure in assessing mitigation when mitigation is required. Mr. Matherne stated that he would like to see a simplified explanation of how to determine the variables associated with mitigation calculations. OCM has discussed this matter with Mr. Matherne and will make efforts to ascertain more information on this subject. Lafourche assessed impacts and assigned the appropriate mitigation for one authorization this report period.

The parish does not anticipate requesting any changes to either the state or local program at this time. Mr. Matherne finds the meetings and materials that the state provides very helpful in implementing the parish program. The parish has excellent communication with other federal and state natural resource agencies and follows State Master Plan coordination procedures.

OCM inquired about parish ordinance #1931 which requires that a Lafourche Parish Permit be issued for structures that block man made canals and other waterways. Mr. Matherne stated that not only is the ordinance not enforced but that all the legal issues and implications were not adequately considered by the parish council in the passage of the ordinance and that there are issues about whether or not the parish has the legal authority to pass and/or enforce such an ordinance. Therefore the parish plans to schedule the ordinance to be repealed.

The state works with the parish to resolve any pending enforcement issues should they arise. Three enforcement issues are waiting on the local program to identifying appropriate mitigation requirements if any. When the parish is made aware of these potential violations it determines a course of action to take that leads to a resolution.

Lafourche Parish has been publishing public notices for applications, and will begin publishing permit decisions. Lafourche Parish has mechanisms for placing an application on-hold. Lafourche Parish will work with the state program on any permits that require nonpoint pollution BMPs and/or one growing season conditions.

Action Item: Lafourche needs to insure that all permit decisions are placed on public notice. The appeals process ten day time period does not begin until permit decisions are placed on public notice.

Action Item: Lafourche needs to insure that they coordinate with the state program on any applications that require BMPs and/or one season growing conditions.

Documentation

All appropriate documentation is provided to IA on local permit decisions. All deliverables are provided in an exemplary manner.

Quarterly Meetings

Mr. Matherne attends and actively participates in all LCP quarterly meetings, workshops and symposiums. Mr. Matherne suggests grants and other additional funding opportunities as a topic for the quarterly meetings.

Permit Decisions

Lafourche Parish's permit decisions have been consistent with the state program and its programmatic document. Lafourche is running a first-rate and effective local coastal program.

Orleans Parish Review

The Orleans Parish periodic review meeting was held October 20, 2010 in New Orleans, Louisiana at the Parish Coastal Management Office. Mr. Charles E. Allen III, Advisor and Director, Coastal and Environmental Affairs represented Orleans Parish.

Action Items From Previous Periodic Review 2005/2007

Last periodic review period OCM recommended that Orleans promulgate its new coastal ordinance. Orleans promulgated its new ordinance shortly after the review on April 4, 2007.

Parish Requests

Mr. Allen requested that OCM send him information on smart growth email list services. This information has been sent. Mr. Allen had a question about CELCP and in-kind matching funds and services requirements. OCM obtained this information for the parish. Mr. Allen had a question about the status of the state in lieu fee program. The status update has been sent to Mr. Allen.

Program Administration

The Local Program Administrator is Mr. Charles E. Allen III, Advisor and Director, Coastal and Environmental Affairs. Mr. Allen was hired in June of 2010 and is in the process of hiring an assistant to work with him in parish coastal management. The Orleans' program has an advisory committee that serves in a consultative capacity whose membership and duties have been formalized by a new parish coastal ordinance this period (CRN-09-03).

Program Processes and Permit Decisions

Orleans Parish's permit protocols and decisions have been consistent with the state program and its programmatic document. Orleans Parish follows proper public notice procedures on applications and permits. Orleans Parish has a process for ensuring consistency with the State Master Plan. The parish has never had to condition any permits with one growing season conditions. Orleans Parish does condition its permits with nonpoint source pollution BMPs and conducts periodic inspections to insure compliance with these and other conditions. Orleans assessed impacts and assigned the appropriate mitigation for one authorization this report period.

Orleans Parish has sufficient enforcement and violation protocols in place. Violations are first reported to the Corps in order to process a Cease and Desist Order. The violator will then go through an after-the-fact permitting process by filling out a joint permit application. The state works with the parish to resolve any pending enforcement issues should they arise. One enforcement issue is waiting on the local program to identify

appropriate mitigation requirements if any. When the parish is made aware of these potential violations it determines a course of action to take that leads to a resolution.

Documentation

Orleans Parish has submitted permit documentation, conservation plan reporting and contract deliverables in a timely manner.

Quarterly Meetings

Orleans Parish has had representation at most quarterly meetings. The parish would like to see grant opportunities discussed at future quarterly meetings.

Permit Decisions

Orleans Parish's permit decisions have been consistent with its programmatic document and the state program. Orleans is operating a high-quality coastal program.

Plaquemines Parish Review

The Plaquemines Parish periodic review meeting was held September 28, 2010 in Belle Chasse, Louisiana. Ms. Albertine Kimble, Local Coastal Program Manager, of the Plaquemines Parish Local Coastal Program (LCP) represented the parish.

Action Items From Previous Periodic Review 2005/2007

OCM had no action items from the previous periodic review period. OCM congratulated Plaquemines on running an excellent Local Coastal Program. The 2005/2007 periodic review pointed out many areas where the Plaquemines Program excelled.

Parish Requests

Ms. Kimble requested additional instruction in the WVA wetland assessment model for mitigation assessment and assignment. Such instruction will be forthcoming. Ms. Kimble requested additional instruction in BMP conditions for nonpoint source pollution prevention. Such instruction will also be forthcoming.

Program Administration

The Plaquemines LCP is an excellent program, administered under the state guidelines and consistent with and effective in achieving the objectives of the state program and its own LCP document as state and federally approved. Mr. P.J. Hahn, Coastal Restoration Director, reports directly to the Parish President. Mr. Hahn is responsible for managing all efforts relating to coastal restoration programs at local, state and national levels.

Ms. Albertine Kimble is responsible for managing the regulatory side of coastal protection and development. Ms. Kimble coordinates closely with the Louisiana Department of Natural Resources and the Plaquemines Parish permit office to ensure that compliance with local, state and federal laws regarding permitted activities within the coastal zone are enforced. Other job duties include coordinating the Coastal Zone Advisory Committee meetings; traveling for LCP quarterly, CWPPRA and other coastal meetings; and conducting regular field work to investigate permit applications.

Plaquemines Parish Government passed three coastal protection and restoration parish ordinances this report period. Ordinances: 08-186, 09-292 and 10-215 include provisions for barrier island creation, vegetated wetland creation and new sediment diversion creation activities respectively.

Program Processes and Permit Issues

Ms. Kimble responded to the discussion points supplied by IA and gave a good representation of the workings of the program. All parish permit decisions have been consistent with the state program and the programmatic document. Plaquemines assessed

impacts and assigned the appropriate mitigation for three authorizations this report period

Plaquemines Parish is satisfied with OCM assistance. Plaquemines Parish is following proper public notice procedures. The parish program is doing an excellent job coordinating with state master plan interests as well.

The Plaquemines Parish also has effective mechanisms for taking applications out of the active processing time clock and for withdrawal of applications, and is continually improving on their internal protocols regarding same. Plaquemines has an effective mechanism in place to flag when one growing season inspection conditions are due. The program has adopted before and after aerial photo conditions to be included in local permits, and adopted an electronic system that will send alerts when inspections are due. Plaquemines had no outstanding violation or enforcement actions this review period. Plaquemines has requested additional instruction in BMP conditioning in permits to address nonpoint source pollution. OCM will comply with this request.

Documentation

All contract deliverables, permit documentation and conservation plan reporting are well prepared and submitted by the parish in an exemplary manner. Ms. Kimble is very proactive in minimizing impacts through the sequencing process of avoidance, minimization and compensatory mitigation, and continues to improve in documentation of same on the proper code sheets.

Quarterly Meetings

Ms. Kimble attends all meetings and training classes sponsored by IA and actively participates. She suggested the topic of mitigation for future quarterly meetings.

Permit Decisions

Plaquemines Parish's permit decisions have been consistent with its programmatic document and the state program. A relatively new program, Plaquemines Parish has made tremendous effort and progress in addressing the issues involved in running a highly successful coastal management program.

St. Bernard Parish Review

The St. Bernard Parish periodic review meeting was held on November 3, 2010 in Chalmette, Louisiana. Mr. William McCartney, who assumes various Department Directorships as needed and serves as special assistant to the Parish President, represented the parish.

Action Items From Previous Periodic Review 2005/2007

The two year periodic review for the time period 2005/2007 found the St. Bernard Local Coastal Management Program to be only marginally consistent with the State's Program. The St. Bernard Coastal Management Program needs more coordination with the State OCM in order to receive additional training and assistance to obtain an acceptable level of consistency as part of the Louisiana Coastal Resources Program (LCRP). The state specifically recommended that:

Action Item: St. Bernard LCP personnel should become more familiar with the obligations spelled out in the scope of services in their operating contract. The parish also needs to send in all documentation that is required to operate a state and federally approved program as part of the LCRP.

Action Item: St. Bernard needs to publish notice of all CUP applications and publish all permit decisions. Copies of the public notices should be sent to the state.

Action Item: St. Bernard Parish personnel need to schedule one-on-one training with state local coastal program personnel for additional training on proper permit procedures and proper submission of deliverables.

Parish Requests

The parish made no requests of OCM this period.

Program Administration

Mr. William McCartney, who assumes various Department Directorships as needed and serves as special assistant to the Parish President, fulfills the role of Local Coastal Program Administrator. The operation of the St. Bernard Parish LCP during the 2008/2010 review period is marginally consistent with its program objectives. The program was making good progress correcting program deficiencies until August of 2005 when it was devastated by Hurricane Katrina and parish government and resources were decimated. The parish barely received satisfactory contract reviews for the 2004/2005, 2005/2006, 2006/2007 and 2009/2010 contract periods and received "does not meet expectations" for the 2007/2008 and 2008/2009 contract periods. Due to the destruction of Hurricane Katrina, the State Program, at the request of the parish program, temporarily

took over the task of permitting issues of local concern so that the parish could focus on hurricane recovery duties after Hurricane Katrina. The parish resumed local coastal use permitting in July of 2006 and has made slight and sporadic improvement in operations since that time.

Program Processes and Permit Issues

St. Bernard Parish has appropriate mitigation, appeals and enforcement provisions. St. Bernard Parish also has proper violation, enforcement and monitoring protocols in place; however, because of the extremely poor reporting practices of the St. Bernard program the state is uncertain if these provisions and protocols are being properly implemented. St. Bernard did report on the required assessed impacts and assigned the necessary mitigation for one authorization this report period. St. Bernard conducts inspections of permitted activities for compliance and states they are following proper public notice procedures.

St. Bernard states it does not have on hold provisions, a one year growing season protocol or a process for incorporating BMPs into Local Coastal Use Permits.

Action Item: St. Bernard needs to work with OCM to develop these permitting protocols.

The state works with the parish to resolve any pending enforcement issues should they arise. One enforcement issue is waiting on the local program to identify appropriate mitigation requirements if any. When the parish is made aware of these potential violations it determines a course of action to take that leads to a resolution.

Documentation

Permit and other contract reporting deliverables are still unacceptable. Permit reporting remains substandard. Quarterly reports and invoices have improved slightly since the last review period. St. Bernard has stated that delinquent permit reporting is to be forthcoming and future permit reporting will be in a timely manner.

Action Item: St. Bernard Parish needs to provide proper documentation of their program operation to the State as required by their operating contract, state and federal law.

Quarterly Meetings

St. Bernard Parish is sometimes absent representation at the quarterly meetings. Attendance has improved however since the last reporting period. Attendance is required by the contract between the parish and LDNR. St. Bernard Parish requested that the state take greater care in scheduling the quarterly meeting to avoid conflicts with other coastal meetings. OCM attempts to avoid conflicts and adopted a 30 minute later meeting start

time this period.

Action Item: St. Bernard Parish needs to insure that they are represented at all quarterly meetings and that their representative(s) arrive on time.

Permit Decisions

The State is unsure if all of St. Bernard Parish's permit decisions are consistent with the state program and its programmatic document because adequate documentation is not being supplied to the state.

Action Item: St. Bernard Parish needs to supply adequate documentation to the state on all permit decisions. St. Bernard Parish LCP needs intensive coordination with LDNR in order to ensure their program is effective and consistent with its program document and the state program.

St. James Parish Review

The St. James Parish periodic review meeting took place on September 23, 2010 in Convent, Louisiana. Mr. Jody Chenier, St. James Director of Operations and Ms. Joan Louque, Executive Parish Secretary, represented the parish.

Action Items From Previous Periodic Review 2005/2007

OCM had no action items from the previous periodic review period. OCM congratulated St. James on running an excellent Local Coastal Program. The 2005/2007 periodic review could not identify one single program deficiency and pointed out many areas where the St. James Program excelled.

Parish Requests

Requests made of the IA review team by Mr. Chenier were followed up on after the meeting was held. Requests included forwarding information on DNR's orphan well program and CUP processing fee's in other parishes.

Program Administration

The St. James Parish Coastal Zone Management program is administered by Mr. Jody Chenier, who is the Director of Operations for the Parish. Program coordination and reports are completed by Ms. Joan Louque, the Parish's Executive Secretary. St. James Parish is running a commendable local coastal program.

The CZM Advisory Committee is composed of nine members: one member from each Council District, one member appointed by the Parish President, and one member from the School Board. The members are appointed by the Council and serve at the pleasure of the Council.

The St. James Parish Coastal Zone Management (CZM) Program is consistent with and effective in achieving the objectives of the state program and its own LCP document as state and federally approved. The program is progressive and organized. St. James promptly submits all contract deliverables.

Program Processes and Permit Issues

There were no newly adopted ordinances or changes to the parish program this review period. Local concern permit applications are processed according to the guidelines. Mitigation is a condition of any permit issued for an activity that may impact vegetated wetlands. Mr. Chenier expressed that he feels that all mitigation for impacts in St. James Parish should take place within the parish itself.

The Parish Operations Superintendent and the Planning and Permitting Supervisor are

responsible for investigating permitted activities and final inspection of complete projects. Inspections include a routine check-list, examination of specialized provisions in the permit, photographs, and notes or other documentation developed during the permit process. Also, the Administrator promptly takes whatever investigatory action is necessary in order to ascertain whether or not an activity is unpermitted and a violation does in fact exist.

When state or local officials become aware of a possible violation, they contact the Local Administrator. A letter of warning is sent which describes the observations of the inspector, identifies the corrective actions that may be taken to come into compliance, provides a date by which the corrective actions must be made and identifies the provisions of the coastal zone management program in violation. The letter is signed by the Inspector and the Administrator. When a violation does not exist, the Administrator informs the agency official who made the referral of such in writing. Should compliance fail to be achieved or if the inspecting official deems a violation serious enough to warrant enforcement – considering the gravity of the violation and the actor's compliance history – the violation may be deemed either non-compliant or significantly non-compliant. All comments by federal or state agencies are coordinated by Mr. Jody Chenier.

The state works with St. James Parish to resolve any pending enforcement issues should they arise. No enforcement issues are waiting on the local program to identifying appropriate mitigation requirements if any this period. When the parish is made aware of these potential violations it determines a course of action to take that leads to a resolution. St. James has all proper permit processes and protocols in place.

Documentation

All appropriate documentation and contract deliverables are provided to IA on local permit decisions in an exemplary manner.

Quarterly Meetings

St. James Parish CZM is always represented at local coastal quarterly meetings and other IA sponsored programs. The parish suggested that a topic for a quarterly meeting could be establishing parish mitigation banks or areas.

Permit Decisions

St. James Parish's permit decisions have been consistent with the state program and its programmatic document. St James is operating a commendable program.

St. Tammany Parish Review

The St. Tammany Parish periodic review meeting was held Tuesday, October 28, 2010 in Covington, Louisiana. Mr. Brian Fortson, Environmental Specialist, represented the St. Tammany Local Coastal Program (LCP). The St. Tammany LCP is housed within the St. Tammany Engineering Department.

Action Items From Previous Periodic Review 2005/2007

OCM had no action items from the previous periodic review period. OCM congratulated St. Tammany on running an excellent Local Coastal Program. The 2005/2007 periodic review could not identify one single program deficiency and pointed out many areas where the St. Tammany Program excelled.

Parish Requests

St. Tammany would like to see OCM provide information on the following topics: resiliency, smart growth coordination, nonpoint source pollution, mitigation, climate change and oil spill impacts. OCM will continue to provide information on these and similar topics at the quarterly meetings as well as through other avenues like emails, special classes and web sites, etc. St. Tammany did respond that they are very well pleased with the response they get to requests for state information and assistance.

Program Administration

The operation of the St. Tammany Parish LCP during the 2008/2010 review period was consistent with and effective in achieving its program objectives. Mr. Fortson, Environmental Specialist, handles the administration of the parish's CZM program. The following modifications have been made in St. Tammany Program personnel.

Daniel Bond has joined the group with an increasing role in day to day permit processing, reporting, enforcement, and restoration planning. Daniel also regulates fill in critical drainage areas, non-point source pollution compliance, drainage regulation compliance and building permit review.

Kelly Mathies has joined the group as administrative support. She acts as support for several other programs in the Engineering Department.

John Smith has come in as the new Director of Engineering and is the current "LCP Administrator" by virtue of his role as director.

Jacob Bolin assists with budget and contract issues, and purchases and invoicing. Jacob is a project coordinator and manager and a member of the senior management of the Engineering Department.

Program Processes and Permit Issues

The St. Tammany Parish LCP tracks very closely to the State Coastal Use Guidelines in program operation and permit review. The program runs very well and few applications proceed into individual CUPs but are issued as exempts. Most of the permits occur in upland type habitats, and many are exempt because of our enabling legislation. The program has good coordination with all federal, state and local agencies. St. Tammany Parish has ordinances that deal with excessive fill in critical and sensitive areas as well as ordinances to deal with nonpoint source pollution. The parish has excellent violation, enforcement and monitoring protocols. St. Tammany assessed impacts and assigned the appropriate mitigation for three authorizations this report period.

All local concern applications that require an individual permit are placed on 30 day notice in the St. Tammany Parish Journal and a copy of the application is posted at the site. St. Tammany is publishing permit decisions as well. All determinations are reported promptly to the state using code sheets, and then again on the Supplemental Monitoring Report that accompanies the quarterly invoice. All permits and exemptions are paid a site inspection. From time to time, random files are selected for cursory inspection after project completion. When an individual permit is required, an after-the-fact site visit is made to assess overall compliance. If an individual permit comes into close proximity with a specific master plan element, St. Tammany contacts OCPR directly or enlists the assistance of OCM staff with the coordination. St. Tammany has not had occasion to issue a one year growing season condition. Mitigation is required at an approved mitigation bank. All applications (exempt, NDSI, CUP) are required to show details regarding the management measures implemented to address non-point source pollution. Mr. Fortson conducts meetings with applicants to discuss minimization of impacts and justification and needs analysis. He documents this information on the code sheets.

Documentation

Contract deliverables are submitted in an exemplary manner. Permit documentation is also submitted in a commendable manner. St. Tammany Parish operates an exceptionally well run program.

Quarterly Meetings

Mr. Fortson attends quarterly meetings, symposiums and training sponsored by IA. He actively participates and is very helpful in suggesting topics for meetings. Topics suggested for this period are: possible impact assessments above 5' contour, TMDLs, incorporating restoration planning/funding into the CZM program and the BP oil spill's adverse impacts.

Permit Decisions

St. Tammany Parish's permit decisions have been consistent with the state program and its programmatic document. St. Tammany Parish is using the coastal use guidelines and the St. Tammany document when permitting applications for activities in the parish. The St. Tammany Program remains at the forefront of the latest innovation and implementation procedures in coastal management science.

Terrebonne Parish Review

The Terrebonne Parish review was held on October 19, 2010 in Houma, Louisiana. Mr. James Miller, Terrebonne Parish Coastal Zone Management Administrator, and Ms. Leslie Suazo, Director of Coastal Restoration and Preservation, represented the parish.

Action Items From Previous Periodic Review 2005/2007

OCM had no action items from the previous periodic review period. OCM congratulated Terrebonne on running a fine Local Coastal Program. The 2005/2007 periodic review could not identify one single program deficiency and pointed out many areas where the Terrebonne Program surpassed standard requirements.

Parish Requests

Terrebonne parish would be interested in a class in permitting and other coastal management issues perhaps held in conjunction with a quarterly meeting. OCM is willing to offer such a class. Terrebonne Parish would like to receive information and guidance on the following topics: oil spill impacts, the NRDA process, the White House Council on Environmental Quality's Initiatives on Long Term Recovery for the Gulf Coast and on general coastal resiliency. Terrebonne also had a question about the mineral rights for CELCP projects. OCM will continue to provide information and guidance on these and other coastal management topics. Terrebonne parish also requested links to specific resource documents prepared by OCM such as the LCP handbook, the subdivision guide the marina guide and the general permit list. OCM provided those links the review meeting.

Program Administration

The Terrebonne LCP is consistent with and effective in achieving the objectives of the state program and its own LCP document as state and federally approved. Ms. Leslie Suazo is Director of the Department of Coastal Restoration and Preservation. Ms. Suazo administers and supervises the program. Mr. James Miller, Permits Coordinator, continues to review the permit applications, conducts the field investigations and performs all intra-parish and inter-agency coordination for the CZM Program. Ms. Vicki Summers serves as Administrative Secretary. Terrebonne Parish has nine members on its Coastal Committee appointed by the Parish Council.

Program Processes and Permit Issues

Terrebonne Parish violations are discovered by field investigation or by complaint. Terrebonne parish has an excellent monitoring process for permit compliance. Terrebonne Parish has had no violation or enforcement issues this report period. Terrebonne Parish conducts field investigations for all local permit applications, as well as those state concern permits applications that are of concern to the parish. Terrebonne

actively comments on state concern applications and frequently attends interagency meetings held by OCM and/or the corps regarding same. Terrebonne parish has served as the bellwether for parishes to have their concerns on state applications addressed through comment to the state and the interagency process.

Terrebonne coordinates with the levee and conservation district when necessary for master plan concerns. Terrebonne parish has a very proactive parish restoration program and has been an integral part of the state's master plan restoration efforts. Impacts are minimized to the maximum extent practicable and documented on the code sheets. Protocols for one season growing conditions are in place; however, Terrebonne has not developed a formal mechanism to flag for permit re-inspection regarding same.

Action Item: Terrebonne Parish should develop a formal mechanism to flag for permit re-inspection on permits with one season growing conditions.

Terrebonne Parish's permit protocols and decisions have been consistent with the state program and its programmatic document. Permit applications are given the proper public notice periods. Terrebonne Parish conditions its local CUPs with nonpoint source pollution BMPs. Mr. Miller does a very good job of assessing and assigning mitigation for uses of local concern. Terrebonne assessed impacts and assigned the appropriate mitigation for four authorizations this report period

Documentation

Terrebonne Parish has done a satisfactory job of submitting permit documentation, conservation plan reporting and contract deliverables in a timely manner. A little extra care could be taken on filling out the data for the code sheets as occasionally there are some errors that need minor correction.

Quarterly Meetings

The Terrebonne LCP is present and active at the local coastal quarterly meetings, workshops and other training classes. Terrebonne Parish actively participates and suggests topics for future meetings. This period Terrebonne suggests a presentation on the effective management and/or enforcement on riparian bank-lines of historically state-owned water bottoms.

Permit Decisions

Terrebonne Parish's permit decisions have been consistent with the state program and its programmatic document. A relatively new program, Terrebonne Parish has made tremendous effort and progress in addressing the issues identified in previous periodic reviews. Terrebonne Parish is running a commendable program.

SUMMARY OF ACTION ITEMS

GENERAL ACTION ITEMS

- All of the parishes should continue to submit updated code sheets for all permit applications with care and diligence. Timely deliveries of contract deliverables are also of importance in this current climate of shrinking fiscal capacities.
- The parishes should ensure that they send the state copies of public notices, final decision documents and all other important file documentation in a timely fashion for inclusion into the state's electronic permit file storage system. In addition to serving as the official clearinghouse for intergovernmental distribution and comment collection, as the storms of 2005 proved, this also serves as an invaluable back-up in case of severe damage to parish infrastructure.
- OCM should redouble its efforts to ensure that all parish comments on state concern activities are adequately addressed. OCM should continue to provide the information and guidance that is of interest to the parish programs.
- One parish program needs more coordination with OCM in order to ensure consistency with the state program.

Calcasieu

- No Action Items Stipulated

Cameron

- No Action Items Stipulated

Jefferson

- No Action Items Stipulated

Lafourche

- **Action Item:** Lafourche needs to insure that all permit decisions are placed on public notice. The appeals process ten day time period does not begin until permit decision are placed on public notice.
- **Action Item:** Lafourche needs to insure that they coordinate with the state program on any applications that require BMPs or one season growing conditions.

Orleans

- No Action Items Stipulated

Plaquemines

- No Action Items Stipulated

St. Bernard

- **Action Item:** St. Bernard needs to work with OCM to develop effective permitting protocols.
- **Action Item:** St. Bernard Parish needs to provide proper documentation of their program operation to the State as required by their operating contract, state and federal law.
- **Action Item:** St. Bernard Parish needs to supply adequate documentation to the state on all permit decisions. St. Bernard Parish LCP needs intensive coordination with LDNR in order to ensure their program is effective and consistent with its program document and the state program.

St. James

- No Action Items Stipulated

St. Tammany

- No Action Items Stipulated

Terrebonne

- **Action Item:** Terrebonne Parish should develop a formal mechanism to flag for permit re-inspection on permits with one season growing conditions.